In the High Court of Punjab and Haryana at Chandigarh

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Criminal W.P. No.484 of 2007

.....

Date of decision:21.5.2007

Raju

.....Petitioner

v.

The Deputy Commissioner, Ludhiana and others

.....Respondents

....

Present: Mr. Ram Bilas Gupta, Advocate for the petitioner.

Mr. I.P.S. Sidhu, Senior Deputy Advocate General, Punjab for the respondent-State.

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S.S. Saron, J. (Oral)

Reply by way of affidavit of Deputy Superintendent of Police, Samrala has been filed in Court today. The same is taken on record.

This petition under Articles 226/227 of the Constitution of India has been filed for issuance of writ in the nature of Habeas Corpus alleging the illegal detention of the persons mentioned in para 5 of the petition. In terms of the reply filed in Court today, the SHO/Inspector Police Station City Samrala visited the brick kiln of Samrala Construction Company on 8.5.2007. At the spot a number of labourers got their joint statement recorded in which they stated that they had come to Samrala about three months ago. They were preparing the bricks in the fields at a distance of about 3 Kms. from the brick kiln and reside nearby by making `Jhuggis'. Before providing the job, an assurance was given by the brick kiln owner that he would give labour of Rs.200/- on every 1000 bricks and

provide them free medical and residential facilities but he did not adhere to his assurance nor did he provide the necessary facilities. He has not made payment of the labour that they had done and he was getting the work done forcibly. After the joint statement was recorded the persons left the place.

The learned State counsel, on instructions from Inspector Gurdeep Singh, SHO, Police Station City Samrala, who is present in Court, submits that all the detenus have been freed from the brick kiln and they have left for their homes.

Leaned counsel for the petitioner, in view of the aforesaid position submits that nothing survives in the present petition. However, he prays that he may be given liberty to claim compensation in accordance with law.

The criminal writ petition is disposed of as infructuous.

May 21, 2007. **(S.S. Saron)**
Judge

hsp